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CHAPTER 1092
 Parks and Recreation Areas

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CROSS REFERENCES

- Parks, recreation facilities and playgrounds - see Code of Va.
 §15.2-1806
 Park Authorities Act - see Code of Va. §§15.2-5700 to 15.2-5714
 Public Recreational Facilities Authorities Act - see Code of Va.
 §§15.2-5600 to 15.2-5616
 Department of Parks and Recreation - see ADM. Ch. 246

1092.01 DEFINITIONS.

As used in this chapter:

- (a) "Department" means the County Department of Parks and Recreation.
- (b) "Park" and "recreation area" means all land owned or leased by the Department or operated by the Department as a park or recreation area and open to the general public for park or recreation purposes, including community centers.
- (c) "Community center" means County owned or operated facilities and the County owned land adjacent thereto. (Ord. 85-12. Passed 9-16-85.)

1092.02 ENFORCEMENT BY SHERIFF.

The Sheriff's Department shall enforce all State laws, this chapter and other County ordinances and regulations within the limits of all parks, recreation areas and community centers. (Ord. 85-12. Passed 9-16-85.)

1092.03 HOURS OF OPERATION.

(a) Parks shall customarily be open to the public from sunrise to sunset, unless the Department of Parks and Recreation otherwise provides.

(b) Park patrons shall observe special posted hours at parks designated to open and close at specific times. No person shall enter or remain in any park, without proper authorization, at any time other than the posted hours during which the park is open. (Ord. 85-12. Passed 9-16-85.)

1092.04 ENTERING CLOSED PARKS.

No unauthorized group or individual shall enter upon any part of any park which has been closed by the Department of Parks and Recreation in the interest of public safety, health or welfare. (Ord. 85-12. Passed 9-16-85.)

1092.05 STRUCTURES; SIGNS; UTILITY PERMITS OR EASEMENTS.

(a) No person shall erect a temporary or permanent structure, directional sign or improvement on County park land, unless authorized by the Department of Parks and Recreation.

(b) Authorized permits or easements must be obtained from the County before permanent or temporary public utilities are placed on or over park lands. (Ord. 85-12. Passed 9-16-85.)

1092.06 EXCAVATIONS.

No person shall excavate, by tool, equipment or hand, any soil, rocks or inorganic or organic materials on park property, or remove the same from park property. (Ord. 85-12. Passed 9-16-85.)

1092.07 APPLICATION OF TRAFFIC LAWS; SPEED LIMIT.

The traffic laws and ordinances of the County and applicable State vehicle laws shall apply in all parks. The maximum speed limit within a park shall be as determined by the Department of Parks and Recreation and shall be posted therein, unless streets in parks are part of the State system of highways. (Ord. 85-12. Passed 9-16-85.)

1092.08 USE OF REGULARLY DESIGNATED PAVED OR IMPROVED ROADS REQUIRED; EXCEPTION.

Only regularly designated paved or improved roads or driveways shall be used by vehicular traffic in a park, except when otherwise directed by a Deputy Sheriff or authorized County employee. (Ord. 85-12. Passed 9-16-85.)

1092.09 PROHIBITED VEHICLES.

The operation of an unlicensed motorcycle, trail bike, mini-bike, go-cart or similar motorized vehicle shall not be permitted in a park. (Ord. 85-12. Passed 9-16-85.)

1092.10 PARKING.

(a) No person shall park a vehicle at any place on park or community center property, other than in the regular designated facilities provided for parking, unless directed otherwise by a Deputy Sheriff or authorized County employee. Signs, as posted, shall be observed.

(b) No vehicle shall be parked on any roadway, parking area or other part of a park after the park closing hours, except in areas designated for such purposes, such as camping sites and other such areas. (Ord. 85-12. Passed 9-16-85.)

1092.11 REPAIRING, WASHING, ETC. OF VEHICLES.

No person shall change any part of or repair, wash, grease, wax, polish or clean a vehicle on any park land, roadway or parking lot of any park or community center, except in areas which may be designated for that purpose. (Ord. 85-12. Passed 9-16-85.)

1092.12 COMMERCIAL ACTIVITIES.

Nothing shall be offered for sale or sold, rented or traded in or upon public park land or facilities or community center grounds or facilities, except by the Department of Parks and Recreation or through regularly licensed concessionaries acting with the permission of the Department. (Ord. 85-12. Passed 9-16-85.)

1092.13 PERMITS FOR PUBLIC GATHERINGS.

(a) "Public gathering" includes demonstrations, picketing, speechmaking, vigils, parades, ceremonies, meetings, rallies, entertainment, games, shows, concerts, picnics and all other forms of public assembly.

(b) Any person or organization desiring to sponsor or arrange a public gathering of more than seventy-five persons upon parks, recreation areas or outdoor areas adjacent to community centers, owned or operated by the County, must first obtain a permit therefor from the County Administrator or his or her designee.

(c) An application for a permit for a public gathering must be delivered to the office of the Director of Parks and Recreation not less than seven days prior to the planned start of the gathering. The County Administrator or his or her designee will either grant the permit, with or without conditions, or deny the permit within seventy-two hours after receiving the application. If the County Administrator or his or her designee fails to act upon the application within the seventy-two hour period, the permit shall be deemed to be granted. For purposes of the foregoing requirement, receipt of the application on a Saturday, Sunday or legal holiday shall be deemed received on the next regular business day. A denial of the permit shall be accompanied by a statement of the reasons for the denial.

For events planned within the seven-day period, where a delay in seeking the permit was not the fault of the applicant and was due to events beyond the control of the applicant, the County Administrator may waive the requirement that an application be filed not less than seven days prior to the planned event, if he or she is satisfied that the remaining provisions of this section can and will be complied with by the applicant and that the County's legitimate interest in adequate planning for the event can be satisfied.

(d) The application shall contain the following information:

- (1) The full names, mailing addresses and telephone numbers of the persons and organizations sponsoring and arranging the proposed activity;
- (2) The full name, mailing address and telephone number of the individual person who will supervise the proposed activity;
- (3) A statement of the number of people expected to attend the proposed activity;
- (4) The dates and hours on and during which the proposed activity is to take place;
- (5) A statement as to whether or not electric or battery-powered devices will be used to produce, reproduce or amplify sound and, if so, what type of such device is to be used; and
- (6) A statement of the nature of the proposed activity (for example, a picnic, softball game, speech or demonstration).

(e) The County Administrator or his or her designee shall issue the permit, unless he or she finds that one or more of the following facts exists:

- (1) The proposed activity is likely to cause excessive damage to park property.
- (2) The proposed activity is likely to involve more people than can reasonably be accommodated within the specific area for which the permit is requested.
- (3) The application does not contain all of the information required by subsection (d) hereof or it contains information which the County Administrator reasonably believes to be false.
- (4) The applicant refuses to agree to abide by limitations imposed by the County Administrator or his or her designee as conditions to the issuance of the permit.
- (5) Use of the area for which the permit is requested would conflict with use of the same area by an applicant who has previously applied for a permit and whose permit is or is about to be issued.
- (6) The proposed activity would violate applicable State law or County ordinances.

(f) The County Administrator or his or her designee may impose limitations upon the applicant and may condition the issuance of a permit upon the applicant's agreement to abide by the limitations. The conditions which the County Administrator may impose shall be limited to reasonable regulation of the time, duration and particular location of the proposed activity and the manner in which it is to be carried out. Limitations upon the manner in which the proposed activity is to be carried out shall be confined to regulations, the sole purpose of which is to prevent undue inconvenience to nonparticipating users of the park, to minimize the danger of injury to persons or to park property or to provide for

adequate protection for public health, including requirements for restroom facilities, potable water

supplies, parking, traffic control, fire and police protection, first aid and ambulance facilities, site clean-up and trash control or bonding or insurance requirements, where the County Administrator deems it appropriate.

Conditions which the County Administrator or his or her designee may impose may relate to, among other things, the use of sound devices and the furnishing by the applicant of assistance in crowd control.

A violation of the conditions may result in the revocation of the permit.

(g) These procedures shall be applied in a uniform, nondiscriminatory manner. The granting or denial of an application for a permit shall be without regard to the beliefs of the applicant or the views to be expressed at the proposed activity, except as otherwise provided by State or Federal law.

(h) These requirements shall not apply to public gatherings sponsored by the County School Board or any County government agency.
(Ord. 85-12. Passed 9-16-85.)

1092.14 NOISE; USE OF SOUND-PRODUCING DEVICES.

Loudspeakers, electric noise devices, noise-making equipment, radios, record players or other sound-producing devices shall be used in parks or community centers only in accordance with the rules and regulations promulgated by the Department of Parks and Recreation. Excessive noise which disturbs the peace and tranquility of a park or community center will not be tolerated. Permission of the Director of the Department must be obtained for the use of such devices.

(Ord. 85-12. Passed 9-16-85.)

1092.15 FIRES.

No person shall kindle a fire in a park, except in facilities specifically provided for that purpose. Authorized fires must be attended at all times and fully extinguished before being left. (Ord. 85-12. Passed 9-16-85.)

1092.16 INTOXICATED PERSONS.

No intoxicated person shall be permitted entry to parks, recreation areas or community center areas. If discovered therein, an intoxicated person shall be ejected forthwith. (Ord. 85-12. Passed 9-16-85.)

1092.17 LITTERING.

No person shall deposit, dump, drop or place any refuse, including bottles, broken glass, paper, boxes, building products, cans, dirt, rubbish, waste, garbage, tobacco products or containers or foil, upon the ground of a park or in or on any other park or community center property, except in receptacles provided for trash disposal.

(Ord. 85-12. Passed 9-16-85.)

1092.18 ALCOHOLIC BEVERAGES.

No alcoholic beverages shall be permitted in any park, recreation area or community center. (Ord. 85-12. Passed 9-16-85.)

1092.19 DISCHARGE OF FIREWORKS.

The use or discharge of fireworks, firecrackers, explosives or rockets of any kind is prohibited in any park, recreation area or community center, unless the activity is sponsored by the Department of Parks and Recreation. (Ord. 85-12. Passed 9-16-85.)

1092.20 CARRYING OR DISCHARGING WEAPONS.

The carrying or discharging, in any park or community center, of any firearm, air gun, gas gun, spring-operated gun, BB gun, slingshot, dart device or bow and arrow is prohibited, except as specifically authorized by the Department of Parks and Recreation in connection with a supervised recreational activity or except as may be carried by a duly authorized law enforcement officer. (Ord. 85-12. Passed 9-16-85.)

1092.21 DOGS PROHIBITED; SIGNS.

Children's play areas in parks where dogs are prohibited shall be marked with signs indicating a dog-free area. No owner or custodian of a dog shall permit the dog to enter or remain in any area of a park where dogs are prohibited. (Ord. 98-09. Passed 7-15-98.)

1092.99 PENALTY.

(a) Whoever violates or fails to comply with any of the provisions of this chapter for which no penalty is otherwise provided, or any regulation duly adopted hereunder, is guilty of a Class 4 misdemeanor and shall be fined not more than two hundred fifty dollars (\$250.00). In addition, such person may be removed from the park wherein the violation occurred.

(b) Whoever violates any of the provisions of Section 1092.03, 1092.05, 1092.19 or 1092.20 is guilty of a Class 1 misdemeanor and shall be fined not more than two thousand five hundred dollars (\$2,500) or imprisoned not more than twelve months, or both. (Ord. 00-02. Passed 2-5-00.)